

FILED JUN 13 1984

1984 JUN 28 AM 11:50  
HOUSE OF REPRESENTATIVES

I certify that the attached is a true and  
correct copy of HCR 31, which  
was filed of record on JUN 13 1984

and referred to the committee on:

Judicial Aff.

Betty Murray  
Chief Clerk of the House

By Selco

H.C.R. No. 31

CONCURRENT RESOLUTION

1 WHEREAS, Sandra M. Fitzpatrick alleges that:

2 (1) she was employed as a Hearings Examiner III for the  
3 Texas Department of Water Resources from April 1, 1978, through  
4 September 12, 1983;

5 (2) the department terminated her employment, alleging  
6 wilful abandonment of assigned duties and insubordination;

7 (3) her supervisor did not advise her that her actions might  
8 place her job in jeopardy nor did he warn her of his intention to  
9 recommend that she be discharged;

10 (4) her initial claim for the payment of 26 weeks of  
11 unemployment compensation was approved but she was disqualified  
12 from the receipt of benefits because it was determined that she was  
13 discharged for misconduct; and

14 (5) she is innocent of the charges brought by the department  
15 and wishes to have her claim litigated and adjudicated by the  
16 courts of this state; now, therefore, be it

17 RESOLVED by the Legislature of the State of Texas, That  
18 Sandra M. Fitzpatrick is granted permission to sue the State of  
19 Texas and the Texas Department of Water Resources for any relief to  
20 which she may be entitled as a result of this claim; and, be it  
21 further

22 RESOLVED, That in the event suit is filed, service of  
23 citation and other required process be made on the attorney general  
24 of the State of Texas and on the executive director of the Texas

1 Department of Water Resources and that the suit be tried as other  
2 civil suits; and, be it further

3 RESOLVED, That nothing in this resolution may be construed as  
4 an admission by the State of Texas, or by any of its employees,  
5 agents, departments, agencies, or political subdivisions, of  
6 liability or of the truth of any allegation asserted by the  
7 claimant, but the alleged cause of action must be proved under the  
8 law of this state as in other civil suits; and, be it further

9 RESOLVED, That nothing in this resolution may be construed as  
10 a waiver of any defense, of law or fact, available to the State of  
11 Texas or to any of its employees, agents, departments, agencies, or  
12 political subdivisions, but every defense is specifically reserved.

HOUSE  
COMMITTEE REPORT  
1st Printing

By Delco

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COMMITTEE REPORT

The Honorable Gib Lewis  
Speaker of the House of Representatives

June 29, 1984  
(date)

Sir:

We, your COMMITTEE ON JUDICIAL AFFAIRS, to whom was referred H.C.R. 31 Also have had the same under consideration and beg to report back with the recommendation that it (measure)

- (☒) do pass, without amendment.  
(☐) do pass, with amendment(s).  
(☐) do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.

A fiscal note was requested. (☐) yes (☒) no

An author's fiscal statement was requested. (☐) yes (☒) no

An actuarial analysis was requested. (☐) yes (☒) no

The Committee recommends that this measure be placed on the (~~Local~~) or (~~General~~) Calendar.

This measure (☐) proposes new law.  
(☐) amends existing law.

House Sponsor of Senate Measure \_\_\_\_\_

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Tejeda, Ch.	<input checked="" type="checkbox"/>			
Rangel, V.C.	<input checked="" type="checkbox"/>			
Hinojosa, C.B.O.				<input checked="" type="checkbox"/>
Armbrister	<input checked="" type="checkbox"/>			
Davis				<input checked="" type="checkbox"/>
Evans, L.	<input checked="" type="checkbox"/>			
Gilley	<input checked="" type="checkbox"/>			
Parker				<input checked="" type="checkbox"/>
Smith, T.	<input checked="" type="checkbox"/>			

Total 6 aye  
0 nay  
0 present, not voting  
3 absent

Frank Tejeda  
CHAIRMAN  
Laura Calfee  
COMMITTEE COORDINATOR

F-

ENROLLED

H.C.R. No. 31

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President of the Senate

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Speaker of the House

I certify that H.C.R. No. 31 was adopted by the House on  
(1)

June 30  
(2)

, 198<sup>4</sup><sub>3</sub>, by a non-record vote.

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Chief Clerk of the House

I certify that H.C.R. No. 31 was adopted by the Senate on

July 2  
(3)

, 198<sup>4</sup><sub>3</sub>.

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Secretary of the Senate

APPROVED:

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Date

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Governor

\*\*\*\* Preparation: 'A;CT60;



\* H. C. R. No. 31

By Silco

HOUSE CONCURRENT RESOLUTION

granting Sandra Fitzpatrick permission to sue the state.

JUN 13 1984

1. Filed with the Chief Clerk.

JUN 26 1984

2. Read first time and referred to Committee on Judicial Affairs

JUN 29 1984

3. Reported favorably (as amended) and sent to Printer at 3:30 M.  
(time)

JUN 29 1984

4. Printed and distributed at 10:31 M.  
(time)

5. Sent to Committee on Calendars at \_\_\_\_\_ M.  
(time)

JUN 30 1984

6. Read and (adopted) (~~failed~~) (~~as amended~~) by a (Non-Record Vote) (Record Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting).

7. Ordered Engrossed \_\_\_\_\_ M.  
(time)

8. Engrossed.

9. Returned to Chief Clerk at \_\_\_\_\_ M.  
(time)

JUL 1 1984

10. Sent to Senate.

Betty Murray  
Chief Clerk of the House

**JUN 30 1984**

MOTION TO SUSPEND ALL NECESSARY RULES IN  
ORDER TO TAKE UP AND CONSIDER AT THIS TIME  
PREVAILED BY NON-RECORD VOTE.

JUL 1 1984

11. Received from the House.

JUL 1 1984

12. Read first time and referred to Committee on ADMINISTRATION<sup>1</sup>

JUL 2 1984

13. Reported favorably.

~~JUL 8 1984~~

14. Ordered not printed by the Senate.

JUL 2 1984

15. Immediate consideration ordered by (unanimous consent)  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays)

JUL 2 1984

16. Read and adopted.

*Betty King*

Secretary of the Senate

July 2, 1984

17. Returned to the House.

JUL 2 1984

18. Received from the Senate (~~with amendments~~).

19. House (Concurred) (Refused to Concur) in Senate Amendments by a (Non-Record Vote) (Record Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting).

20. Conference Committee Ordered.

21. Conference Committee Report Adopted (Rejected) by a (Non-Record Vote) (Record Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, and \_\_\_\_\_ present, not voting).

JUL 2 1984

22. Ordered Enrolled at 10:55 a. M.  
(time)

HOUSE OF REPRESENTATIVES

1984 JUN 29 PM 10:31